

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 03-6758**

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ELTON LEE WILLIAMS,

Plaintiff - Appellant,

and

UNITED STATES OF AMERICA,

Intervenor - Plaintiff,

versus

RONALD J. ANGELONE, in his individual and official capacity; GENE M. JOHNSON; H. R. POWELL, Warden, Southampton Correctional Center; RUPUS FLEMING, in his individual and official capacity as the Regional Director; W. W. PIXLEY, Lieutenant, Southampton Correctional Center; J. BARNES, Lieutenant, at Southampton Correctional Center; R. A. YOUNG, Regional Director of Virginia Department of Corrections; LARRY W. JARVIS, Warden at Bland Correctional Center; CLARENCE A. HOLLAR; K. A. POLINSKY, Assistant Warden of Programs at Bland Correctional Center; F. E. LOCKHART, Treatment Program Supervisor at Bland Correctional Center; H. J. HICKMAN, Captain at Bland Correctional Center; S. K. YOUNG, WRSP; A. P. HARVEY, WRSP; SERGEANT WILKINS, WRSP; H. O. YATES, Major, WRSP; R. SNIDER, Lieutenant, WRSP; D. TAYLOR, Captain, WRSP; SERGEANT COLLINS, WRSP; CORRECTIONAL OFFICER COLLENS; SERGEANT HAMILTON, WRSP; CORRECTIONAL OFFICER MCKINNEY, WRSP; J. MINTON, Correctional Officer, WRSP; CORRECTIONAL OFFICER KISER, WRSP; OFFICER SHOEMAKER, WRSP; JOHN DOE, Correctional Officer, WRSP,

Defendants - Appellees.

ELTON LEE WILLIAMS,

Plaintiff,

and

UNITED STATES OF AMERICA,

Intervenor - Appellant,

versus

RONALD J. ANGELONE, in his individual and official capacity; GENE M. JOHNSON; H. R. POWELL, Warden, Southampton Correctional Center; RUPUS FLEMING, in his individual and official capacity as the Regional Director; W. W. PIXLEY, Lieutenant, Southampton Correctional Center; J. BARNES, Lieutenant, at Southampton Correctional Center; R. A. YOUNG, Regional Director of Virginia Department of Corrections; LARRY W. JARVIS, Warden at Bland Correctional Center; CLARENCE A. HOLLAR; K. A. POLINSKY, Assistant Warden of Programs at Bland Correctional Center; F. E. LOCKHART, Treatment Program Supervisor at Bland Correctional Center; H. J. HICKMAN, Captain at Bland Correctional Center; S. K. YOUNG, WRSP; A. P. HARVEY, WRSP; SERGEANT WILKINS, WRSP; H. O. YATES, Major, WRSP; R. SNIDER, Lieutenant, WRSP; D. TAYLOR, Captain, WRSP; SERGEANT COLLINS, WRSP; CORRECTIONAL OFFICER COLLENS; SERGEANT HAMILTON, WRSP; CORRECTIONAL OFFICER MCKINNEY, WRSP; J. MINTON, Correctional Officer, WRSP; CORRECTIONAL OFFICER KISER, WRSP; OFFICER SHOEMAKER, WRSP; JOHN DOE, Correctional Officer, WRSP,

Defendants - Appellees.

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Appeals from the United States District Court for the Western District of Virginia, at Roanoke. James C. Turk, Senior District Judge. (CA-01-00274-7)

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Submitted: July 28, 2004

Decided: August 24, 2004

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Before TRAXLER, GREGORY, and SHEDD, Circuit Judges.

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Affirmed in part, vacated in part, and remanded by unpublished per curiam opinion.

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Elton Lee Williams, Appellant Pro Se. Thomas E. Caballero, Mark Bernard Stern, Catherine Yvonne Hancock, Michael Scott Raab, UNITED STATES DEPARTMENT OF JUSTICE, Washington, D.C., for Intervenor-Appellant. Susan Foster Barr, OFFICE OF THE ATTORNEY GENERAL OF VIRGINIA, Richmond, Virginia, for Appellees.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Elton Lee Williams, a Virginia inmate, appeals the district court's order denying relief on his 42 U.S.C. § 1983 (2000) complaint and his claims pursuant to the Religious Land Use and Institutionalized Persons Act [RLUIPA]. To the extent the district court found that Williams failed to establish a violation of his constitutional rights, we affirm on the reasoning of the district court. See Williams v. Angelone, No. CA-01-00274-7 (W.D. Va. Mar. 31, 2003).

The district court relied on its decision in Madison v. Riter, 240 F. Supp.2d 566 (W.D. Va. 2003), to deny Williams relief under § 1983 based on his RLUIPA claims. After the district court entered judgment in Williams's action, this Court reversed the district court's holding in Madison on December 8, 2003. Madison v. Riter, 355 F.3d 310 (4th Cir. 2003). Accordingly, we vacate the district court's order denying Williams's RLUIPA claims and remand those claims to the district court for further proceedings. We dispense with oral argument because the facts and legal contentions are adequately presented in the material before the court and argument would not aid the decisional process.

AFFIRMED IN PART,  
VACATED IN PART, AND REMANDED